

# House Study Bill 103 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON SODERBERG)

## A BILL FOR

1 An Act relating to mental health and disability services by  
2 making transfers and appropriations for the fiscal year  
3 beginning July 1, 2012, and including related changes and  
4 effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD  
2 ENROLLMENT CONTINGENCY FUND — MENTAL HEALTH AND DISABILITY  
3 SERVICES REDESIGN TRANSITION FUND — FY 2012-2013.

4     1. Of the moneys received from the federal government  
5 through the child enrollment contingency fund established  
6 pursuant to section 103 of the federal Children's Health  
7 Insurance Program Reauthorization Act of 2009, Pub. L. No.  
8 111-3, the following amount is transferred from such moneys to  
9 the department of human services for the fiscal year beginning  
10 July 1, 2012, and ending June 30, 2013, to be credited as  
11 follows:

12     To be credited to the mental health and disability services  
13 redesign transition fund created in 2012 Iowa Acts, chapter  
14 1120, section 23:

15 ..... \$ 11,628,317

16     2. The moneys credited to the mental health and disability  
17 services redesign transition fund pursuant to subsection 1 are  
18 appropriated to the department of human services for allocation  
19 to counties as follows:

20     a. To those counties identified by the department in  
21 scenario 1 of the department's report on the transition fund  
22 submitted to the general assembly on December 1, 2012, pursuant  
23 to 2012 Iowa Acts, chapter 1120, section 23, to be used to  
24 continue or restore services as provided in the application and  
25 the department's determination of the award amount:

26 ..... \$ 11,628,317

27     b. The allocations under this subsection shall be remitted  
28 to counties not later than two calendar weeks following the  
29 effective date of this Act.

30     c. A county receiving an allocation under this subsection  
31 shall remit to the department any unpaid portion of the  
32 county's obligation for the nonfederal share of undisputed  
33 medical assistance program billings incurred in a fiscal year  
34 prior to FY 2012-2013. The unpaid portion shall be remitted  
35 prior to June 30, 2013, from moneys available to the county

1 that meet federal match requirements for the program.

2 d. A county receiving an allocation under this subsection  
3 shall comply with any audit requirements for the county's  
4 expenditures relating to the allocation. The department shall  
5 develop the audit requirements with assistance from the office  
6 of the auditor of state. The audit requirements may be applied  
7 on a selective or random basis so that the audit requirements  
8 do not apply to all counties receiving an allocation. Any  
9 costs relating to the audit requirements are the responsibility  
10 of the department.

11 3. A county that applied for moneys from the transition  
12 fund pursuant to 2012 Iowa Acts, chapter 1120, section 23, but  
13 was not identified in the department's recommendation for an  
14 award in the report on the transition fund shall enter into  
15 an agreement with the department for remittance of any unpaid  
16 portion of the county's obligation for the nonfederal share  
17 of undisputed medical assistance program billings incurred in  
18 a fiscal year prior to FY 2012-2013. A county that did not  
19 apply for moneys from the transition fund shall either remit  
20 any unpaid portion of the county's obligation for such program  
21 billings by the end of the fiscal year beginning July 1, 2012,  
22 or shall enter into an agreement to do so. An agreement under  
23 this subsection shall provide for remittance of any unpaid  
24 portion by the end of the fiscal year beginning July 1, 2013.

25 4. For purposes of an application for county formation of  
26 a mental health and disability services region submitted on  
27 or before April 1, 2013, in accordance with section 331.389,  
28 subsection 4, the director of human services may approve an  
29 application for a region that includes a county that is not  
30 contiguous with any of the other counties in the region,  
31 as otherwise required under section 331.389, subsection 3,  
32 paragraph "a", if the county that is not contiguous has had a  
33 formal relationship for two years or longer with one or more of  
34 the other counties in the region for provision of mental health  
35 and disability services.

1      Sec. 2.  EFFECTIVE UPON ENACTMENT.  This Act, being deemed of  
2 immediate importance, takes effect upon enactment.

3	EXPLANATION
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4       This bill relates to mental health and disability services  
5 (MH/DS) by making transfers and appropriations for FY 2012-2013  
6 and other related changes.

7       The transfers and appropriations are made for purposes of  
8 the MH/DS redesign legislation enacted in 2012 (2012 Iowa Acts,  
9 chapter 1120 (SF 2315) and chapter 1123 (SF 2336)).

10 A state general fund transfer of approximately \$11.6 million  
11 is made to the department of human services (DHS) to the  
12 temporary transition fund created in the redesign legislation.  
13 The moneys are then appropriated from the transition fund to  
14 DHS for allocation to counties that applied for assistance from  
15 the fund and were identified in the DHS transition fund report,  
16 scenario 1.

17 A county receiving an allocation from the fund is required  
18 to remit to DHS any unpaid portion of the county's obligation  
19 for the nonfederal share of undisputed medical assistance  
20 (Medicaid) program billings incurred in a fiscal year prior to  
21 FY 2012-2013. Remittance of the unpaid portion is required  
22 prior to June 30, 2013, from moneys available to the county  
23 that meet federal match requirements for the program.

24 A county receiving an allocation is required to comply with  
25 any audit requirements for the county's expenditures relating  
26 to the allocation. DHS is directed to develop the audit  
27 requirements with assistance from the office of the auditor of  
28 state which may be applied on a selective or random basis so  
29 that the requirements do not apply to all counties receiving  
30 an allocation. Any costs relating to the audit requirements  
31 are the responsibility of DHS.

32 A county that applied for moneys from the transition fund  
33 but was not identified in the DHS report recommendation for  
34 an award is required to enter into an agreement with DHS for  
35 remittance of any unpaid portion of the county's obligation for

1 the nonfederal share of undisputed medical assistance program  
2 billings incurred in a prior fiscal year. A county that did  
3 not apply for moneys from the transition fund is required to  
4 remit any unpaid portion of the county's obligation for such  
5 program billings by the end of FY 2012-2013 or enter into  
6 an agreement to do so. Any such agreement must provide for  
7 remittance of any unpaid portion by the end of FY 2013-2014.

8 The criteria for approval of county applications to  
9 voluntarily form MH/DS regions which must be submitted by  
10 April 1, 2013, are addressed. The DHS director may authorize  
11 an exemption from the requirement that the counties must be  
12 contiguous. The county that is not contiguous must have had a  
13 formal relationship for two years or longer with one or more of  
14 the other counties in the region.

15 The bill takes effect upon enactment.